## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Alexandria Division

| PJC LOGISTICS, LLC,           | ) |                            |
|-------------------------------|---|----------------------------|
|                               | ) |                            |
| Plaintiff,                    | ) |                            |
|                               | ) |                            |
| v.                            | ) | Civil Action No. 1:11cv279 |
|                               | ) |                            |
|                               | ) |                            |
| AVERITT EXPRESS, INC., et al. | ) |                            |
|                               | ) |                            |
| Defendants.                   | ) |                            |
|                               | ) |                            |

## NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)

Plaintiff PJC Logistics, LLC hereby files this voluntary Notice of Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). According to Rule 41(a)(1)(A)(i) an action may be dismissed by the plaintiff without order of court by filing a notice of dismissal at any time before service by the adverse party of an answer. Defendant KLLM, Inc. has not yet answered the Complaint. Accordingly, PJC Logistics voluntarily dismisses KLLM, Inc. without prejudice pursuant to Rule 41(a)(1)(A)(i).

Respectfully submitted,

PJC LOGISTICS, LLC

By: /s/
Harris D. Butler, III (VSB No. 26483)
Rebecca H. Royals (VSB No. 71420)

Attorneys for Plaintiff BUTLER WILLIAMS & SKILLING, P.C.

100 Shockoe Slip, Fourth Floor Richmond, Virginia 23219

Telephone: (804) 648-4848 Facsimile: (804) 648-6814

Email: hbutler@butlerwilliams.com rroyals@butlerwilliams.com

R. Mark Dietz, Admitted *Pro hac vice* Attorney for Plaintiff DIETZ & JARRARD, P.C. 106 Fannin Avenue East Round Rock, TX 78664 Telephone: (512) 244-9314

Facsimile: (512) 244-3766 E-mail: rmdietz@lawdietz.com

Steven R. Daniels, Admitted *Pro hac vice* Attorney for Plaintiff FARNEY DANIELS, LLP 800 South Austin Ave., Suite 200 Georgetown, Texas 78626 Telephone: (512) 582-2828

Facsimile: (512) 282-2829

Email: sdaniels@farneydaniels.com

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of August, 2011, I electronically filed the foregoing Notice of Voluntary Dismissal with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Dabney J. Carr, IV, Esquire Troutman Sanders LLP P. O. Box 1122 Richmond, Virginia 23218-1122

Counsel for Defendants Averitt Express, Inc., Builders Transportation Company, LLC, Cardinal Logistics Management Corporation, Covenant Transportation Group, Inc., sued herein as Covenant Transport Group, Inc., Federal Express Corporation, FedEx Corporation, Forward Air, Inc., KLLM, Inc., KLLM Transport Services LLC, Miller Transporters, Inc., Ozark Motor Lines, Inc., Paschall Truck Lines, Inc., Royal Trucking Company, Star Transportation, Inc., United Van Lines, LLC, U.S. Xpress Enterprises, Inc., Western Express, Inc., W.L.A. Inc.

Ahmed J. Davis, Esquire Fish & Richardson P.C. 1425 K Street, Suite 1100 Washington, DC 20005

Counsel for Defendant Southeastern Freight Lines, Inc

David M. Morris, Esquire Morgan Lewis & Bockius, LLP 1111 Pennsylvania Avenue, NW Washington, DC 20004

Counsel for Defendant TLD Logistics Services, Inc.

/c/

Harris D. Butler, III (VSB No. 26483) Attorney for Plaintiff BUTLER WILLIAMS & SKILLING, P.C. 100 Shockoe Slip, Fourth Floor Richmond, Virginia 23219 Telephone: (804) 648-4848 Facsimile: (804) 648-6814

Facsimile: (804) 048-0814

E-mail:hbutler@butlerwilliams.com